

Robert G. Drummond
Chapter 13 Standing Trustee
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(Trustee)

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re)	
MARK KUCERA,)	No. 12-60891-13
)	
Debtor.)	

**TRUSTEE'S OBJECTION TO CONFIRMATION OF
CHAPTER 13 PLAN DATED JUNE 7, 2012**

The Chapter 13 Standing Trustee objects to confirmation of the Chapter 13 Plan dated June 7, 2012, for the following reasons:

1. As evidenced by the estimated claim filed by the Internal Revenue Service, the Debtor has failed to file all tax returns due through the year 2011 as required for confirmation by 11 U.S.C. § 1325(a)(9).
2. The Debtor's Plan is not feasible and the Debtor will not be able to make all payments due under the Plan as required for confirmation by 11 U.S.C. § 1325(a)(6). Schedules I and J, taken together, reflect that the Debtor has monthly net income in the amount of \$418.00. Schedule J, however, fails to take into account that the Debtor has scheduled several secured claims to be paid directly and in an impaired fashion.

WHEREFORE, the Trustee prays:

1. That confirmation of the Plan be denied.
2. That the case be converted to one under Chapter 7.
3. For such other and further relief as the Court deems appropriate.

DATED this 2nd day of July 2012.

Chapter 13 Standing Trustee
P. O. Box 1829
Great Falls, Montana 59403-1829

By/s/ Robert G. Drummond
Trustee
